

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ZUBEARU BETTIS :
Plaintiff, : ORDER
-v.- : 21 Civ. 7505 (GWG)
OFFICER GRIJALVA et al., :
Defendants. :
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GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE

On November 15, 2023, the Court ordered a briefing schedule related to the Government's motion to dismiss. See Memorandum Endorsement, dated Nov. 15, 2023 (Docket # 76). The Government's motion to dismiss is dated November 20, 2023, and was timely filed. The deadline for plaintiff to file a response was December 20, 2023. However, plaintiff has failed to file any response.

The Court must now determine whether plaintiff intends to proceed with this case. Accordingly, by February 2, 2024, plaintiff must file either (a) a response to the Government's motion to dismiss or (b) a letter to the Court stating that he no longer wishes to pursue this case. Plaintiff may file by email by sending the document in pdf form to Temporary_Pro_Se_Filing@nysd.uscourts.gov. In the alternative, the document may be mailed to Pro Se Docketing, 500 Pearl Street, New York, NY 10007

If plaintiff fails to comply with this Order by making either filing "(a)" or "(b)" above on or before February 2, 2024, this case may be dismissed for failure to prosecute. See Fed. R. Civ. P. 41(b).

If plaintiff responds to the motion to dismiss, the Government may file any reply brief by February 23, 2024.

The Court notes that plaintiff has failed to update his address with the Court inasmuch as the federal inmate locator system reflects that he is incarcerated at the Metropolitan Detention Center. Accordingly, the Clerk is requested to update plaintiff's address on the docket sheet with the following address:

Zubearu Bettis
Reg. No. 92404-05
Metropolitan Detention Center
P.O. Box 329002
Brooklyn, NY 11232

SO ORDERED.

Dated: January 12, 2024
New York, New York



GABRIEL W. GORENSTEIN
United States Magistrate Judge